

1. Consider the following damage claim recommended for denial: United Services Automobile Association.
Action: approved.

2. Consider ratifying the action of the Lawton Water Authority to set the minimum bid price for two tracks of land at Lake Ellsworth, Tract E-7 and E-21 (agriculture leases), which will be sent to public auction on June 7, 2004.
Action: approved.

3. Consider ratifying the action of the Lawton Water Authority to lease with Cove Acres Fire Department a tract of land at Lake Ellsworth, more particularly described as part of the Northwest Quarter of the Southeast Quarter of Section 10, Township 4 North, Range 11 West, I.M., and authorize the Mayor and City Clerk to execute the lease.
Action: approved.

4. Consider ratifying the action of the Lawton Water Authority to approve Amendment No. 3 to the Raw Water Purchase Agreement with Charley E. Snyder and Doris Berry-Snyder, and authorize the Mayor and City Clerk to execute the Amendment. Action: approved.

5. Consider ratifying the action of the Lawton Water Authority to approve Amendment No. 11 to the Raw Water Purchase Agreement with Ramon John, and authorize the Mayor and City Clerk to execute the Amendment. Action: approved.

6. Consider approving an Outside Water Sales Agreement with The Town of Medicine Park, and authorize the Mayor and City Clerk to execute the agreement.

Bass asked if Medicine Park and Lawton has got everything settled as far as the problems we were having before.
Vincent said no, we still have the litigation on-going.

MOTION by Bass, SECOND by Haywood, to approve an Outside Water Sales Agreement with The Town of Medicine Park, and authorize the Mayor and City Clerk to execute the agreement. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Givens. NAY: None. MOTION CARRIED.

7. Consider renewing the Retainer Agreement for Professional and Legal Services between the City of Lawton and James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims and authorize the Mayor and City Clerk to execute the Agreement. Action: approved.

8. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Neil West and authorize the Mayor and City Clerk to execute the Agreement. Action: approved.

9. Consider renewing the professional services agreement with Gary M. Bush of Fagin, Brown, Bush, Tinney & Kiser, for financial related representative services, and authorize the Mayor and City Clerk to execute the Agreement. Action: approved.

10. Consider accepting an agreement with Dan Wigington for appraisal services, and authorize the Mayor and City Clerk to execute the agreement. Action: approved.

11. Consider approving the construction plans and specifications for a public water main extension to serve a site located at 5209 SW Lee Boulevard. Action: approved.

12. Consider acknowledging receipt of a permit from the Oklahoma State Department of Environmental Quality for the construction of 2,157 linear feet of eight (8) inch PVC gravity sewer and all appurtenances to serve Silver Creek Patio Homes Addition, located in the NE/4 of Section 27 T-2-N, R-12-W, City of Lawton, Comanche County, Oklahoma. Action: approved.

13. Consider accepting the offsite waterline improvement located in the 7400 and 7500 blocks of NW Cache Road serving Tippens Auto Spa and Storage R Us.

Patton asked if that is \$2,000 for each one or are we writing just one check to both of them. Bigham said the claim was made out for both of them, Tipton and Gibson, so he assumes they will divide that equally. They filed one claim together.

Patton said he has no problem with Dr. Gibson and his property, but he is having a problem with Mr. Tipton and the car wash. Tipton came before Council in August 2002 stating he was going to put up some signs that said we do have a City Noise Ordinance and he was going to police that a little better. Patton said he has continued to get several calls from his constituents complaining about the noise level and it has gotten worse as the weather gets better. Patton said he wanted to bring that up and make that part of the record. We certainly don't have the manpower to have a police officer sitting there writing tickets exclusively in that location.

MOTION by Patton, SECOND by Bass, to accept accepting the 12" offsite waterline improvement located in the 7400 and 7500 blocks of NW Cache Road and accepting the Maintenance Bond serving Tippens Auto Spa and Storage R Us. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Givens. NAY: None. MOTION CARRIED.

14. Consider approving the record plat for Pebble Creek Addition, Part 3, and accepting the improvements and maintenance bonds. Action: approved.

15. Consider approving plans and specifications for the construction of the West Cache Road 24" Cache Road 24" Waterline Phase I Project #2003-11 and authorizing staff to advertise for bids. Action: approved.

16. Consider authorizing the Mayor to sign and execute the DEQ Consent Order, Case No. 04-108 for discharge permit limit violations of dichlorobromomethane at the City of Lawton Wastewater Treatment Plant. Action: approved.

17. Consider approving the following contract extensions: Mowing and Litter Contract (CL03-061) with Service One Janitorial and Wayne W. Harris-Parks and Grounds. Action: approved.

18. Consider awarding contract for Crane Service (CL04-047) to Allied Steel Construction and Crane Rental of Oklahoma City. Action: approved.

19. Consider rejecting bids for Sound System Upgrade. Action: approved.

20. Consider awarding contract for Motor Grader (CL04-056) to OCT Equipment Inc. Action: approved.

21. Consider awarding contract for Hydraulic Excavator (CL04-056) to C.L. Boyd Company, Inc. of Oklahoma City. Action: approved.

22. Consider approval of the minutes of April 6, 2004 Special CIP Workshop Meeting. Action: approved.

23. Consider approval of payroll for the period of April 12, 2004 to April 25, 2004. Action: approved.

BUSINESS ITEMS:

24. Hold a public hearing to consider the Consolidated One-Year Action Plan for FFY 2004, receive input from citizens, and provide direction for development of the final plan. If appropriate, pass a resolution authorizing the Mayor and City Clerk to execute the documents to submit the plan to the U.S. Department of Housing and Urban Development (HUD), to execute the Grant Agreement upon receipt from HUD, and to execute all related documents required by HUD to implement the CDBG and HOME programs.

Aplin said the spreadsheet given to Council incorporates the directions and guidance given to him at the last meeting on May 5th. He also provided a letter concerning an issue related to Marie Detty to provide information to give Council an opportunity to understand the issue surrounding what was a little bit of a misunderstanding, at the last meeting.

Ewing-Holmstrom said she read the information and attached to that, it still has the little block, Business Development Specialist, CDBG, 54%. Aplin said that was attached so everyone would know what the pages were, that was the only reason. That was the mistake.

PUBLIC HEARING OPENED AT THIS TIME

Curtis Call, 4825 NE Bell, said his grandparents needed end of life care and he wanted to share some comments about Hospice of Lawton, Inc. He said for over 20 years Hospice of Lawton has provided end of life care with dignity for all, regardless of their ability to pay. He said Hospice of Lawton turns no persons away, always being there when the end of life time comes. He encourages additional funding for Hospice of Lawton, particularly for those from low income families that have no ability to pay for any care. They can provide more assistance to more people who cannot take care of themselves. One of the ascetics of Hospice of Lawton that no other agency provides end of life care.

Jackie Gilliland, 1109 NW 75th Street, said she works with a family at Hospice, here in Lawton. She is a registered nurse, one of a team of people who help take care of a special individual in our community. She said this infant was born here, November 2003, was transported to the neo-natal unit intensive care unit in Oklahoma City. He was born with severe brain damage and sent home to die. They currently live in Downtown Old Area, unable to pay for care. The neo-natal unit called Hospice in December and asked them if they would take care of this infant in his last days. With non-funding she has been able to be the case manager. She has an LPN, a Chaplin, Social Services, and she provides three visits a week and on-call hours for this family and infant. They have provided diapers, medication, and any counseling they might need. The infant is 6 months old and doing better than they thought. Gilliland urged Council to do the right thing

and help them continue to provide these services to members in our community.

Joelle Jolly, Senior Director of Operations, said they have been in this community for over 30 years providing counseling services. They provide free counseling, fee scale counseling and what they are proposing to do with their money is to directly impact Lawton, and Lawton alone, by using that money to provide additional counseling services to clients here in this community. This will give them the ability to serve over 100 more clients. She said a lot of their budget is federal money that goes for their Head Start Program. Last year they serviced over 14,000 people and the majority of them were in their educational and residential programs. That money is cost allocated directly toward those programs and cannot be utilized for counseling services. The CDBG funds are to be used directly for those services only. She requested Council to look at their budget again and take into consideration the 20% the City Council set aside for the resolution for eligible projects.

Barbara Clyde, 505 Fairway Villa Place, said she is a life-long community member and has practiced nursing for over 40 years in this community. She is here on behalf of Hospice and is a Board Member with the Hospice Group. One of the key issues is we not only provide care to patients looking at end of life issues, but also to families and help them deal with the enormous amount of stress put on them to meet the desire of their family member. She urged Council to provide the funding for Hospice; it's the only non-profit organization that not only meets the patient's need, but also the family.

PUBLIC HEARING CLOSED AT THIS TIME

Ewing-Holmstrom said she would like to take out \$10,000 from the \$40,000 from the Christian Family Counseling Center and put it into Hospice, take \$15,000 out of the C. Carter Crane Shelter and give it to the Marie Detty Counseling.

Patton said he would like Council to remember that the C. Carter Crane Shelter, to his knowledge, is the only homeless shelter in the community. They don't have a whole lot there to cut and the Christian Family Counseling Center speaks for itself of what is done so he would also think about taking money away from them. He said mostly on the C. Carter Crane because that's our only place homeless people can go.

Shanklin said we have spent 2 1/2 hours and that's plenty time for changes to be suggested, voted on, or discussed, so he'd leave it like it is.

Devine said he liked Ewing-Holmstrom's suggestion because Marie Detty has counseling that is not church orientated and there are a lot of people that really don't prefer church counseling. They would rather just have an individual type counseling and he would like to see some of that go to Marie Detty. He said taking money from C. Carter Crane concerns him. Is that money going to be used for the food bank or is it going to be for the homeless shelter.

Betty Caldwell, Director of the Carter-Crane Homeless Shelter, said there has been a misconception for many years in the community about the connection of the Carter-Crane Shelter and the Lawton Food Bank. She said the program was started by Mrs. Crane in 1985 and the Carter-Crane Shelter has always been a program under Great Plains Improvement Foundation. They have been two separate entities the entire time. The money will strictly be for Carter-Crane only. She said if they do not receive the funding they have asked for, they will not be able to make some of the changes they need to. They are not able, like some of the other organizations, to go out and file for money for reimbursement for anything. People who come to them have zero money.

Devine said he would still like the changes made as Ewing-Holmstrom stated.

MOTION by Devine, SECOND by Ewing-Holmstrom, to approve \$10,000 for Catholic Charities, \$30,000 for Christian Counseling Center, \$15,000 for GPIF Volunteer Health Clinic, \$36,864 for Hospice of Lawton, \$15,000 for Marie Detty, \$15,000 for C. Carter-Crane Shelter, and \$37,454 for Teenage Pregnancy Prevention.

Haywood said he is a former member of Great Plains Improvement Foundation and Carter Crane Homeless Shelter is located at 1205 & 1207 Texas. It's important to take care of the homeless when they come to Lawton. There is another place, the Salvation Army. It's our job to take care of the homeless when they come to the City of Lawton. Oklahoma City takes care of their homeless, as does Tulsa and Muskogee. It's our job to take care of our people here. He said to keep the C. Carter Crane Shelter at \$30,000.

Warren said he has a problem with the way the entire program was set up this year. He said he wasn't a part of the 20% and had he been, he would have tried to move the Council at that time to do it a different way. He said he thinks it's difficult when a program has been funded for three or four years, to suddenly say they are out this year. If we are doing a 20% reduction and fund that 20% into new programs, we should have done that in equal percentage across the board for everybody so they would have had a chance to find new funding the next year. He suggested a three year limit and then, even if they deserve it, they can't get it and they drop down 10% every year until they are no longer funded. He said he thinks the whole deal was flawed and the reason he made the motion

he did, it seemed the easiest way to try to keep this as close to the way it was as possible and move forward and change it in a way that will be acceptable to the people in these programs. He said to call Marie Detty Counseling Service a new program is a misnomer because it's not. He said in just one column we have three or four people providing counseling service. He understands they each feel like they provide a different service to different groups of people, but at some point it has to be more cost effective to have a counseling center where all that gets accomplished. We are funding all kinds of things multiple times. He said he really doesn't have a problem with any of these, it's just the way the process was set up.

SUBSTITUTE MOTION by Bass, SECOND by Haywood, to approve \$10,000 to Catholic Charities, \$30,000 to Christian Family Counseling Center, \$15,000 to Volunteer Health Clinic, \$10,000 to Marie Detty, \$30,000 to C. Carter Crain Shelter, \$37,450 to Teenage Pregnancy Prevention, and \$26,864 to Hospice.

Ewing-Holmstrom said each one of these provides a unique service. She said the Health Clinic being a free clinic is a great idea and they started in 2002 asking for money. She said it's kind of interesting to track some of these groups to see when they start asking for money and how much. C. Carter Crane asked for \$15,000 in 2000, in 2003 went to \$25,000, and in 2004 went to \$30,000. She said there are a lot more people who are dying and in need of end of life care than there are homeless people in town. It's interesting to see where we weigh the importance. She said she agrees but it seems like their budget is increasing and the other night we were not getting questions answered about what their monies do and what kind of programs they've set up to set some of these people up for success. She said if you look at 2001 and 2002 requests and where we are now, how some of the money has increased and continues to increase. Some groups it's being taken away from them.

Haywood said he disagrees because we don't want them to get to Hospice, they will get there sooner if we don't take care of them because they'll get sick and be on the streets. In the winter they will freeze to death and in the summer they will get too hot from the heat and die.

VOTE ON SUBSTITUTE MOTION WAS HELD AT THIS TIME

AYE: Haywood, Bass, Givens, Devine, Ewing-Holmstrom, Shanklin. NAY: Patton, Warren. SUBSTITUTE MOTION CARRIED.

Purcell said that takes care of the public service part of the CDBG and now we have to go to the rest of the CDBG Program.

Ewing-Holmstrom said it's amazing when reviewing the information, how much money is going to Ward 7. She said the one thing that really stood out was the \$25,000 for the Neighborhood Revitalization Group and what Aplin said that they have tried to get this group going for awhile and that's just a big chunk of money and she has questions about that. She said \$25,000 is a lot of money and she would like to find out a little bit more about that group. She asked if anyone else had the same worries.

Devine said he doesn't have a problem with it going to Ward 7 because that is the most needed area for most of this money. He does have concerns on how we are doing some of it and it's pretty hard for him to make some of the decisions because he has tried to read as much as he possibly could on it, but he was unable to be here the previous week. He needs to bring it all back completely. All was well informed he would not be here and Bass also wasn't and it could have been postponed a day or two, but it didn't happen. He said he is going to have to hope everyone made the right decisions and listen to the changes that are going to be made tonight.

Givens said he would like to point out a correction that Ward 7 isn't the only ward this money could go to and certainly isn't the only ward that has the population that is low to moderate income. He said Ward 2 and a good part of Ward 5 are all qualified for the funds. He said he is fairly satisfied at this point the way this distribution has been made. He said the thing he is most interested in for Ward 2 are the Code Enforcement Officers and that's still in there and he feels that is what's needed in that particular area at this time. He said with the exception of Lawton View, the census tracts in Ward 2, north of Cache Road, have more low to moderate income and also more below the poverty line than anybody in Lawton. In the future, he hopes that area is going to be a Neighborhood Revitalization area as well.

Purcell apologized to Devine and Bass. He said this was kind of thrown on us from the last time we didn't have this meeting when it should have been done, but it was unfortunately postponed. The problem is we are up against a deadline. Whatever we are going to do we have to approve tonight, unless you want to come back tomorrow night and do this over again. This has to be sent in no later than the 14th, so we've only got three more days, so that's the reason for the hurry up and why we had to have it last week and the final tonight.

Devine said Warren had the best idea, if we had of been more involved in this from the beginning, if part of the Council would have been involved in this, we would have known more about it and kept the other Council members informed. If you give us the paperwork to absorb in a short time, it's not fair to us to make these decisions and there's people out there who need this money. Since we have to make the final decision, we should have a part of

making those decisions.

Haywood said Lawton View is the number one targeted area. The Housing Urban Development thought it was a long time ago when those particular low to moderate income areas did not receive their portion of the money from the City, so that's when the Housing and Urban Development came in and tried to catch up. That's why they get those funds. Also, if Council wants to be more involved in these funds, you have to go to those public hearing meetings they have. They have two in Lawton View, one on Pennsylvania, one at the Housing Authority Building, one in the Multi-Purpose Center, one at Patterson Center, and they had one at H.C. King. This is how you get informed and those constituents came out and that's why you see all those Ward 7, this is what they asked me to give to the HCD. These came from the constituents and not from him.

MOTION by Haywood, SECOND by Shanklin, to accept the entire Consolidated One Year Action Plan for FFY 2004 as stated under column M with the changes made previously for the two items under Public Services and pass **Resolution No. 04- 44** authorizing the Mayor and City Clerk to execute the documents to submit the plan to the U.S. Department of Housing and Urban Development (HUD), to execute the Grant Agreement upon receipt from HUD, and to execute all related documents required by HUD to implement the CDBG and HOME programs. AYE: Haywood, Warren, Bass, Givens, Devine, Shanklin, Patton. NAY: Ewing-Holmstrom. MOTION CARRIED.

25. Hold public hearings and adopt resolutions declaring the structures at: 8 NW 24th Street, 24-26 NW 24th Street, 403 NW 31st Street, 514 1/2 NW Bell Avenue, 703 1/2 NW Dearborn Avenue, 1202 SW F Avenue, 6405 NW Maple Avenue, 1801 NW Cache Road, 2532 NW Fort Sill Blvd., 1314 NW Arlington Avenue, and 1623 SW Garfield Avenue, to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate.

Warren said he would like to see the dilapidation pictures be put on the web and if he wants a copy he can print it off on his home computer. There's no reason to have these pictures when we can have it on the internet. He said he thinks we are wasting a lot of money for each Council member to have a set of color pictures. He thinks there is a less expensive way to do this.

Ewing-Holmstrom said she agrees and actually liked it when we did the video. For cost effectiveness she liked the video.

8 NW 24th Street

Alltizer said the first two structures on the agenda, the owner lives in California and is unable to be here, so the property manager has requested these two properties, 8 NW 24th Street and 24 & 26 NW 24th Street, be tabled for two weeks so the owner can be here.

Mitchell said he wasn't sure about the reason the owner couldn't be here, but he thinks they are in the process of trying to sell the property and the owner requested a postponement so the perspective owner could be here in two weeks.

Ewing-Holmstrom said in looking at these the last two years she has been here, we have to do one rule for everybody and let's not postpone the inevitable. She said in two more weeks it may be something else, it may not be, she may be here, but if this was as important to her as it is to us, she would have made the time to be here.

Alltizer said she hopes Council would drive by and look at some of these structures before Council meetings, and not rely solely on her pictures.

Alltizer said 8 NW 24th Street is a cinder block accessory structure in conjunction with a duplex. The property owner lives in California and is buying up several of those duplexes in the 24th and Bell area. She has explained to him what needs to be done with the property and he has agreed, they just wanted a little bit of time, but she didn't think they would have a problem with Council passing a resolution on that tonight.

MOTION by Ewing-Holmstrom, SECOND by Devine, to adopt **Resolution No. 04- 45** declaring the structure at: 8 NW 24th Street to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Warren, Bass, Givens, Devine, Ewing-Holmstrom, Shanklin, Patton....

Haywood reminded Purcell about holding the Public Hearing.

Purcell said that is correct and asked the vote be suspended.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

VOTE WAS HELD ON THE MOTION AT THIS TIME

AYE: Warren, Bass, Givens, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. MOTION CARRIED.

24-26 NW 24th Street

Alltizer said this is a duplex structure in the same area and same property owner. The property manager came in and met with her regarding those and they have started cleaning those up and making the necessary repairs. They plan on coming in and getting a permit when the owner returns to town next week sometime.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Ewing-Holmstrom, SECOND by Devine, to adopt **Resolution No. 04- 46** declaring the structure at: 24-26 NW 24th Street to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Bass Givens, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED.

403 NW 31st Street

Alltizer said the property owner lives in Oklahoma City and is very ill, however, did speak with her about this and a new owner closed on this property today and has let her know they plan on making the necessary repairs. They do not have a problem with Council condemning this and putting it on that timeline but they will make the necessary repairs.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Ewing-Holmstrom, SECOND by Devine, to adopt **Resolution No. 04- 47** declaring the structure at: 403 NW 31st Street to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Givens, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: none. MOTION CARRIED.

514 1/2 NW Bell Avenue

Alltizer said this is an accessory structure adjacent to the alley. A certified letter to the property owner of record was sent, giving them a detailed list of the code violations. At the time the letter was sent, it was accepted, and they got the green card back but did not have any response from the property owner directly. He did meet with her this evening just before the meeting. His intentions are to tear down the back part which is falling down and rehabilitate the rest of the structure and use it for storage. It hasn't had City utility services in the actual accessory structures for over seven years. There is a primary structure that is in pretty good shape.

Vincent asked if the owner said he intends to use this structure for storage. Alltizer said yes. Vincent said this is in a residentially zoned area, how can he do that? Alltizer said it's an accessory structure to the primary structure for storage there. That's his residence, he's been living with his father.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION BY Ewing-Holmstrom, SECOND by Bass, to adopt **Resolution No. 04- 48** declaring the structure at: 514 1/2 NW Bell Avenue to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Givens. NAY: None. MOTION CARRIED.

703 1/2 NW Dearborn

Alltizer said this is also an accessory structure, a two-story, adjacent to the alley. She said the property owner did contact her office yesterday stating some of the violations were being corrected. She said the pictures show a lot of progress is being made and the owner is here tonight if you have any questions, he feels this one is headed in the right direction.

PUBLIC HEARING OPENED AT THIS TIME

Daisy Christian Fonseca said she is the owner and this property is being used by the tenant as their storage right

now. She said they are replacing the broken windows, the rotten wood, and other repairs. She said it is their intentions to refurbish the apartment later on, but for right now they just want it to be in good shape for the looks of the community and for use by the tenant.

PUBLIC HEARING CLOSED AT THIS TIME

Devine said he would like to hear Alltizer's recommendation as to the repairs being made. Alltizer said she feels quite comfortable with the progress being made. If Council chose not to pass a resolution of condemnation, she doesn't feel we would have a problem going ahead and getting those repairs made. Especially since the owner has come tonight and stated those repairs would be completed in a timely manner.

MOTION by Ewing-Holmstrom, SECOND by Warren, to adopt **Resolution No. 04- 49** declaring the structure at: 703 1/2 NW Dearborn Avenue to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Givens, Devine. NAY: None. MOTION CARRIED.

1202 SW F Avenue

Alltizer said this is a commercial structure that is a multiple unit. She believes at one time this was like a boarding house or hotel of some sort. It has significant structural problems, such as the roof has collapsed in a couple different places, the floor has completely rotted out, and it's full of junk and debris. The owner did contact her yesterday saying he was unable to attend the meeting but he planned to correct the violations. She said she personally doesn't think he is aware of how bad the condition of this property is and she doesn't think there is much salvaging of this actual structure. It hasn't had utility services since December 2002 and it's one we may need to move on a little more rapidly.

PUBLIC HEARING OPENED AT THIS TIME

Mrs. Richard Craley Sr. said her son owns this property. She said she wanted to come and report that she doesn't know about this property, her husband and her owned it at one time. She said they gave it to their son, who should be back in about a month. She said she doesn't know what he has decided that he's going to do with the property. This building was built in 1942 as a place for GIs to live in. She said they know the situation and hopes to work on it whichever way is the best for everybody.

PUBLIC HEARING CLOSED AT THIS TIME

MOTION BY Ewing-Holmstrom, SECOND by Bass, to adopt **Resolution No. 04- 50** declaring the structure at: 1202 SW F Avenue to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Shanklin, Patton, Haywood, Warren, Bass, Givens, Devine, Ewing-Holmstrom. NAY: None. MOTION CARRIED.

6405 NW Maple Avenue

Alltizer said this is a single residential structure. The owner has started making progress on the structure but there are some significant violations that still remain. City utility services were terminated in July 1995.

PUBLIC HEARING OPENED AT THIS TIME

Larry Cain, from Indianahoma, said this is his property and the County just sent him a notice that it has increased in value to \$40,000 and wants him to pay more taxes on it. He said he is working on it right now, has made some improvements and has had three people call him wanting to buy it. It hasn't had City utilities but has had electricity and gas on the whole time. Most of the things stated in the letter were either caused by people he has called the police on and he has told them who it is and they don't seem to want to do anything about it. They won't investigate even though he has told them who it is, where they live, and what they drive. He said if he could keep people out of it he could get it fixed up. He said he just doesn't believe it should be torn down.

Haywood said even if Council passes this tonight, tomorrow you can go get a permit and you will have so many days to fix the house, but you need to go get a permit tomorrow.

Cain asked if there was any sense in him getting a permit if Council wants to tear it down.

Vincent explained to Cain if Council should pass this resolution declaring this structure is blighting and detrimental to the neighborhood, he will have 15 days from the date this resolution is passed. Go to the permit section of the City and get a remodeling permit and he will have a certain time period to accomplish certain things that maxes

out at 90 days. It all has to be accomplished within 90 days from the issuance of the permit.

Cain said he doesn't have a lot of money and he could get it done, but maybe not in 90 days, he has to do the work himself.

Devine said if you take and file for a remodel permit on this and start work on it, as long as you make an effort in a sufficient amount of correction and remodel on it, Alltizer is not going to bring it back to be torn down. They will work with you.

PUBLIC HEARING CLOSED AT THIS TIME

MOTION by Ewing-Holmstrom, SECOND by Bass, to adopt **Resolution No. 04- 51** declaring the structure at: 6405 NW Maple Avenue to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Patton, Haywood, Warren, Bass, Givens, Devine, Ewing-Holmstrom, Shanklin. NAY: None. MOTION CARRIED.

1801 NW Cache Road

Alltizer said this is a commercial structure currently vacant and the City utility services were terminated in February 2001. A certified letter was sent to the property owner outlining the code violations needing to be corrected and he has contacted us and has started some of the repairs. She said very little progress has been made except some trimming of some limbs in the back. A concerned citizen and business owner spoke to Council at the last meeting regarding this property and Alltizer said she was then directed to schedule this for a public hearing and bring it before Council tonight.

PUBLIC HEARING OPENED AT THIS TIME

Steve Mansell, 101 Park Avenue, Oklahoma City, Oklahoma, said he is the attorney for Bob Mansell. He said when they received notice of the code violations, they attempted, as they always do, to call the City, no less than five times, to schedule a meeting with someone to come out to the property and show them what needed to be fixed.

None of those phone calls were returned, they were unable to schedule any meeting with anybody to go out there and look at it and talk with them about it. He said they are certainly willing to fix things and the property is structurally sound. Mansell said he knows Council is doing a good job and tries hard, but there has to be another way to do this other than cramming dilapidation notices down people's throats and making them go to court and file law suits. If you want to get the stuff fixed, he suggests the staff be instructed to return the phone calls and try at least to meet in good faith with somebody before scheduling it for a hearing and have the property condemned and torn down. This piece of property is has some cosmetic flaws and there is grass and weeds, but having weeds growing up on the side of a building, or pigeons landing on your building is not a good reason to tear someone's building down. He said you can't declare something a nuisance that is not a nuisance, and there's law on that. He said you can say it's a nuisance and schedule it for demolition, but if it's not a nuisance, then somebody's going to be paying them for that building and it's going to be the City of Lawton. He said they came here in good faith and have tried to talk with Alltizer, have tried to talk with Manny Cruz, tried to talk with Bob Bigham, has tried to call City Council members, and even tried to call the Mayor. He said they are going to fix that property and it will not be torn down because it is not a nuisance. He said to avoid further meetings like this, they request the courtesy of returned phone calls

Ewing-Holmstrom said she has caller ID and has never received a call with the last name of Mansell. She said Mansell has also referred that the roll of film came from our staff and mention the building at 1801 NW Cache Road used to be a furniture store. She said before this building became in this condition it was a photography place. He did year books, reunion albums, and still photography. She said this dilapidation didn't just happen overnight, she has watched this building deteriorate over the past four years.

He asked Council to table this for two weeks, see if they can get it fixed and talk with Alltizer and see if they can agree on exactly what course of action needs to be taken to address the concerns.

Devine said Mansell has not contacted him about this problem recently about not getting response from the City staff, but if he will call him anytime, he would be more than happy to make an appointment for him and Mansell to meet with them and see that they go over it and give him a list of what needs to be done. He said Mansell needs to contact him and he has not been contacted on this property what-so-ever.

Shanklin said that Council is being led to believe that Mansell doesn't know what needs to be done and that's not correct, he knows exactly what needs to be done. He owns these properties, he doesn't need us to tell him what's wrong. He said he has known him for 55 years and he knows as much about it as he does. He asked Council not to get caught into this trap, he knows what we want him to do. It has got to be presentable, the roof can't fall through to the first floor.

Trent Dockstetter, the owner of 1805 Cache Road, said this is adjacent to the Mansell property. He said he has owned his building for 10 years and in that time, there has been two tenants in the Mansell building. One was the photography business there for a short period of time and prior to that was a water bed store, who had to move out because of water leaks in the roof. He said nine months ago he contacted Mansell several times asking him to fix the broken windows. He kept calling him several times and it's not like he wasn't aware of the broken windows.

The soffiting, about three years ago has dropped out, rotted out, and there were pigeons and he contacted Mansell several times and so did the City. He said at that time the scaffolding was erected and stood out there for months and months and finally they were boarded up a little bit. Then the pigeons roosted on the scaffolding for about six months. He said they have cats, rats and pigeons in the building and have complained to Mansell several times asking him to do something about it. Dockstetter said when the soffiting fell in again maybe about a year ago, someone from his office contacted Mansell asking him to do something about the soffiting which is falling through again. He said Mansell said until he fixed the roof it was just going to fall down again and this was a year ago. He said Mansell knows he has a problem with his roof, you can look in the window and see black mold going up the walls and that's a health hazard. If anything is a health hazard, we all know black mold is. He said he has to be right next to that building and he has a hose that drains water out from time to time in that building and he can't believe Mansell is not aware of the condition of that building. He requested Council to please condemn this building.

Sharon Bosch said her business is at 1811 Cache Road, Sharon's Quilt Shop, and has been at this location for a year. She said you can walk by the building at 1801 anytime, day or night, and see rats and mice. The windows have been out constantly and nothing has been done. She said the scaffolding has been up and that is all that has been done. She said she is appalled that a Council member would say he needed to be called by this person when that wasn't afforded everybody that has left here with condemned buildings. She asked if that was part of a Council member's job to call someone to tell them their property is going to be on the agenda for demolition.

Purcell said Mansell had a problem with the City staff and that's what they were complaining about; not returning a call and that's very appropriate for Mansell to call a City Council member and tell him about that problem. He said he thinks that is what he was referring to.

Bosch said it was a beautiful building, but it has not been Colony House Furniture for a very long time and asked Council to please take into consideration this is a very definite health hazard for their entire neighborhood. She said they are trying to clean up that part of Lawton and they need help.

Howard Bosch said it is in bad condition and he has seen no activity around there what-so-ever, with the exception of the scaffolding being put up. He said that's the only activity seen, with the exception of the rodents around there in the last year.

Mansell said they have had 60 windows broken out of their commercial buildings in the past year and half and that's about \$200-300 each. The problem with these commercial properties is you don't know who you are going to lease to and what it's going to be used for. When it's vacant, you don't go in and fix everything in the place that needs fixed because you don't know when and who you are going to lease it to. He said that's the way it works. He said we left a hole in the soffit purposely so we could discuss with the City and show them the canopy is sturdy and doesn't require the post to support it, it has steel cables and girders in there. We don't know what the City is going to require us to do and that's the point.

Purcell said even if this ordinance is passed tonight, you have a chance to go in 15 days and get a remodeling permit.

Mitchell said a list was sent out as a part of the notice they received on the public hearing so they already have the list of items we are asking to be addressed and repaired. They have that list and it's not a surprise because every commercial property has a similar list. We have a building code and all you have to do is follow it, get a building permit, and do the work. Mansell said they don't have a copy of the Building Code. Mitchell said it's available in his office, at the Library, and it's available on line.

PUBLIC HEARING CLOSED AT THIS TIME

MOTION by Ewing-Holmstrom, SECOND by Bass, to adopt **Resolution No. 04- 52** declaring the structure at: 1801 NW Cache Road to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate.

Warren asked if we had issued a citation on this property. Alltizer said no we have not. Warren said here we are talking about tearing a building down and we have yet to issue one citation on. He said he doesn't understand how we get to that point. Regardless of whose involved, it sounds to him like we are not interested in cleaning the thing up, we're interested in tearing it down. That's the impression we leave. We have not made an effort to bring a

commercial property owner to court and issue them a violation and he doesn't understand why we don't do that.

Alltizer said they have issued citations to this property owner on other commercial properties and there has been some progress on that. The problem with issuing citations for property maintenance code violations is it takes forever for those to be processed through Municipal Court just because of the privileges and changes and things they can do. They can ask for a jury trial which puts it off for several months, and we are not seeing any progress that way. She said the reasons they are bringing these commercial and residential structures before Council for public hearings for condemnations is to get a timeline established. She said their intentions are not to threaten people, they want them to clean their properties up. Once it is brought before Council and they do not comply, then we can move it to District Court. She said they have been very successful in District Court in getting a lot of these residential properties taken care of. They have either been completed and remolded or they have been razed and removed. She said we need to do something about these commercial properties, they have been on hold since December and the public wants us to bring this to you.

Warren asked if it is faster to go through District Court and less expensive on the City's part, to rectify a code violation on a commercial building, than it is to go through Municipal Court. Vincent said the Municipal Judge has limited jurisdiction and a fine of \$500 and possible jail time, District Court Judge can order it done.

Warren asked how long it takes for us to reach the end of a Municipal case once we've issued a citation. Vincent said about 18 months in a worse case scenario. Warren asked how long on a District Court case. Vincent said again, 12-18 months. The property owner has 15 days from the date Council passes it to come in and get the remodel permit and then we can track the progress. That's the ultimate goal, to get it fixed, especially on commercial properties.

Alltizer said if we write a citation, that does not force the property owner to correct the violation. The cost of non-compliance may be more equitable, may be a \$100-500 fine and might be cheaper than fixing the building, so writing tickets does not necessarily force the property owner to correct those violations. Warren asked why are we even bothering then and why do we even have people to do that. Alltizer said we are not, we are going through District Court. Warren said we don't issue any citations at all? He said he thought that was Council's direction that we did that. Alltizer said her last direction on commercial structures was that Council tabled any further action on the last half that we brought and she was supposed to work with property owners. That has gone fairly well with some of them, however, there is a majority of those commercial properties that there has been little or no progress. She said if she is suppose to work friendly with them, she didn't interpret it that she was suppose to issue them citations at the same time.

Shanklin said first of all the citation is a joke. We don't want to tear his building down, we want him to make it presentable. They sit right down there and say to just tell them what to do. They know what we want them to do. He's not going to do it until you take him to court. If we don't get them in court, we are wasting our time.

VOTE WAS HELD ON THE MOTION AT THIS TIME

AYE: Bass, Givens, Shanklin, Patton. NAY: Warren, Devine. MOTION FAILED.

*Haywood and Ewing-Holmstrom was out of the room during vote.

2532 NW Fort Sill Boulevard

Alltizer said the remaining structures for this evening have all been to Council before and have been previously condemned. She is having to return them because they found a couple of errors in the legal description obtained from the County on one and we made a typo on another. Before we can commence District Court litigation on these structures, she needed to present them to Council to correct those resolutions.

This is a commercial structure originally listed in the group of 30 brought before Council around the holiday season. The property was condemned by Council at that time and we needed to correct the resolution before District Court litigation can continue.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Shanklin, SECOND by Bass, to adopt **Resolution No. 04- 52** declaring the structure at: 2532 NW Fort Sill Boulevard to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Bass, Givens, Shanklin, Patton, Haywood. NAY: Warren, Devine. MOTION CARRIED.

*Ewing-Holmstrom left the meeting at this time (8:02 p.m.).

Haywood re-entered the room at this time (8:06 p.m.).

Shanklin asked if we could bring back the 1801 NW Cache Road for reconsideration.

MOTION by Shanklin, SECOND by Bass, to bring back 1801 NW Cache Road item which failed because of not enough votes (4 to 2) for reconsideration. AYE: Givens, Shanklin, Patton, Haywood, Bass. NAY: Devine, Warren. MOTION CARRIED.

1801 NW Cache Road

MOTION by Shanklin, SECOND by Bass, to adopt **Resolution No. 04- 53** declaring the structure at: 1314 NW Arlington to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Bass, Givens, Shanklin, Patton, Haywood. NAY: Devine, Warren. MOTION CARRIED.

1314 NW Arlington

Alltizer said this property has been before Council and has been condemned. We just need to pass this resolution to continue litigation in District Court.

PUBLIC HEARING OPENED AT THIS TIME

Steven Mansell said it is their intention to knock this one down.

PUBLIC HEARING CLOSED AT THIS TIME

MOTION by Shanklin, SECOND by Bass, to adopt **Resolution No. 04- 54** declaring the structure at: 1314 NW Arlington to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Devine, Shanklin, Patton, Haywood, Warren, Bass, Givens. MOTION CARRIED.

1623 SW Garfield

Alltizer said this has also been previously condemned by the City Council, however, we did not provide proper notice and in order to correct that, she is bringing this back to Council. She said the daughter of the property owner has contacted Alltizer and received two different bids for the demolition of this structure so maybe they will have it razed and removed before we actually have to start litigation in District Court.

PUBLIC HEARING OPENED AND CLOSED AT THIS TIME WITH NO PARTICIPANTS

MOTION by Haywood, SECOND by Shanklin, to adopt **Resolution No. 04- 55** declaring the structure at: 1623 SW Garfield to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate. AYE: Shanklin, Patton, Haywood, Warren, Bass, Givens, Devine. NAY: None. MOTION CARRIED.

26. Discussion and consideration of abolishing the Council Oversight Committee.

Purcell said he brought this to Council. Right now we have three different committees doing the same thing. This oversight committee was created about three years ago and has never met. This was an oversight committee to check and review Codes. We also had a committee appointed by Mayor Powell that Shanklin, Devine, and Bass sat on, with members of the community to do the same thing. That committee met many times and in fact, brought information to the Council when some Codes were changed. He said on top of that, we have a Building Development Appeal Board, under Chapter 6, which is where you take appeals from Code Enforcement on Building Permits. Purcell said we have three committees and he is proposing we abolish this and if Council agrees with that he will bring back a recommendation next time that we reform a Council Committee, very similar to what you sat on before and made recommendations. This time instead of being a task force for the Mayor, it will be a Council appointed committee to review Codes. Those Council members who were on it before and would like to be on this can, and we will have the public and will get your input on who from the public will be on it.

MOTION by Shanklin, SECOND by Patton, to abolish the Council Oversight Committee. AYE: Shanklin, Patton, Haywood, Warren, Bass, Devine. NAY: None. MOTION CARRIED.

*Givens was out of the room when vote was taken.

27. Consider approving revisions to Council Policy 1-6, Council Rules of Procedure.

Purcell said he brought this forward for two reasons. Somewhere along the way, Council agreed to take the minutes and move them back into the Consent Agenda, as opposed to doing what every normal meeting does, which is to approve the minutes from the previous meeting and/or make any needed corrections, as one of the first things done. He said if everyone would read just their part of the minutes as opposed to reading the whole thing, it would only take a few minutes. He said he thinks it should be brought up before we get into new business. He said the other change is on voting by the Council and there is no "pass," you either vote yes, no, or abstain. Everyone on the Council agreed with that, however, there is nothing in our policy that says that. Under Robert's Rules of Order, which we operate under, unless we decide something different under Council Policy, you can pass. He said he is just trying to bring forth what Council said they wanted. So the other correction, which in on page 103 of the agenda, all we have done under roll call votes is add the words, "A Council Member may not pass."

*Givens entered the room at this time. (8:18 p.m.)

MOTION by Bass, SECOND by Warren, to approve revisions to Council Policy 1-6, Council Rules of Procedure. AYE: Patton, Haywood, Warren, Bass, Givens, Devine, Shanklin. NAY: None. MOTION CARRIED.

Patton said you can look those minutes up on the web site. He commended the City Clerk for a good job of putting the minutes on the web.

28. Consider an ordinance pertaining to fire department and services amending Section 11-4-402, Article 11-4, Chapter 11, Lawton City Code, 1995, by providing an exception for fire hydrants on collector, minor arterial, and principal arterial streets, providing for severability and declaring an emergency.

Vincent read the ordinance title at this time.

MOTION by Shanklin, SECOND by Warren, to adopt Ordinance No. 04-19 pertaining to fire department and services amending Section 11-4-402, Article 11-4, Chapter 11, Lawton City Code, 1995, by providing an exception for fire hydrants on collector, minor arterial, and principal arterial streets, providing for severability and declaring an emergency. AYE: Haywood, Warren, Bass, Givens, Devine, Shanklin, Patton. NAY: None. MOTION CARRIED.

(Title only)

Ordinance No. 04-19

An ordinance pertaining to Fire Department and Services amending Section 11-4-402, Article 11-4, Chapter 11, Lawton City Code, 1995, by providing an exception for Fire Hydrants on Collector, Minor Arterial, and Principal Arterial streets, providing for Severability and declaring an emergency.

29. Discussion and consideration of approving a Resolution establishing a Committee composed of ten members to be appointed by the Mayor and confirmed by the Council to be known as the Base Realignment and Closure (BRAC) Coordinating Committee.

Purcell said he brought this forward also. There was originally a committee on BRAC with a task force appointed by Mayor Powell that looked at BRAC when it first came through. Council approved an agreement that goes to the Chamber and they are doing their thing and as part of that contract, there was money passed through the Chamber from the State. This does not propose to change any of that, but when he talked to certain members on the original task force, when the first report went back an awful lot of them never saw it and never knew anything about it. He has been told two things and doesn't know which is true. He has been told the first report that went back, that this Council in total, approved the plan. Other people have told him they have never seen it. Purcell said he doesn't know which one is correct and that is immaterial, what we need is a committee made up of the community that is involved in BRAC. Council was given a list of who's on it and if Council agrees, it will be brought back next time and we will actually have them appointed. All are ex-officio members. Those members are: Mayor Purcell, Larry Mitchell, City Manager, George Moses, the Lawton Representative on the Oklahoma Strategic Military Planning Commission, Dr. Gilbert Gibson, the Civilian Aide to the Secretary of the Army, Dr. Cindy Ross, President of Cameron University, Phil Kennedy, President of Lawton Chamber of Commerce, Barry Beauchamp, Lawton Public Schools Superintendent, David Pope, Comanche County Commissioner, Jim Nesbitt, Superintendent of Great Plains Technology Center, and Blaine Smith, Director of ASCOG. Purcell said when dealing with BRAC we need the entire community, and we need their input to the BRAC. When the reports go from the Chamber, right now they are going directly back to the Strategic Committee at State level, with no one looking at the City level. We are getting the money and are responsible for the money and we need this group to look at it before it goes back.

Patton asked if one of those members should be a Council member. Purcell said he would be glad if a Council member wants to, we will make it eleven members with a Council Representative. Purcell asked for a volunteer. Patton said he would not mind serving on this committee.

MOTION by Warren, SECOND by Givens, to approve **Resolution No. 04-56** establishing a Committee composed of eleven members to be appointed by the Mayor and confirmed by the Council to be known as the Base Realignment and Closure (BRAC) Coordinating Committee. AYE: Warren, Bass, Givens, Devine, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED.

30. Consider adopting a Resolution to repeal Resolution No. 91-79, and by this Resolution adopt the "City of Lawton Investment Policy", and provide guidance as appropriate.

Endicott said approximately two years ago Mike Crawford from Crawford and Associates had come in and done some work with the City and during that process highly recommended the City look at an Investment Policy at the time. One of the things he recommended was for us to develop an Investment Committee. January of this year that was done and the Investment Committee consists of himself, Financial Services Supervisor, the Assistant City Manager, Council Member Bass, Dr. Gibson, and Ms. Pat Henry. We have met over the last few months, presented them with a draft investment policy and they have reviewed it and made some changes. The policy is in Council's packet. By adopting this policy you would be repealing Resolution No. 91-79, which is outdated. The policy is a very conservative approach. One thing they are adding is anybody involved in the investment process is required to be bonded and we will have to fund that through the budget process. In the past only the Finance Director has been bonded, however, there's the Finance Director's Secretary, the Financial Services Supervisor, and the Accountant, are all involved in this process of wiring money and doing investments. We made that recommendation to the committee and they agreed with that. Another part that has been added is local preference. He said if a vendor, a local investment company, meets or exceeds the yield rate that we would get from an out of town investment company, we would invest that money locally. The purpose of the committee is to review the policy to make recommendations to the Council, to review our investments on a quarterly basis, and they have a formal process of providing reports, if Council adopts this policy, to the City Manager and Council. As it stands right now, it's kind of an informal process, you get reports when requested. This will give you investment reports on a more consistent basis.

MOTION by Shanklin, SECOND by Warren, to adopting a **Resolution No. 04-57** to repeal Resolution No. 91-79, and by this Resolution adopt the "City of Lawton Investment Policy", and provide guidance as appropriate. AYE: Bass, Givens, Devine, Shanklin, Patton, Haywood Warren. NAY: None. MOTION CARRIED.
REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Haywood said Douglas was closed up in 1966, his last year in high school, and came back later and closed up Dunbar. He just wanted it put on record to recognize that so many people in this town worked together to integrate this fine town, the City of Lawton. He said you will probably be receiving something from a guy by the name of Nathaniel Harmon Jones, who is a local minister. He is the past president of the NAACP and Haywood is attempting to name a street after him on Roosevelt. Jessie Davenport Avenue is what used to be 15th Street and we would like to name one Dr. Nathaniel Harmon Jones also from Sheridan and Roosevelt, down to Davenport and Roosevelt. He said hopefully that will be coming back.

Mitchell reminded Council we have a Budget Workshop Thursday night, starting at 6:00 p.m. and the Public Works Department will be the department first up for Council review. Also, we are meeting tomorrow with our Bond Council regarding our 2005 CIP to work through some legal issues and we have a meeting scheduled for May 19th next Wednesday, with the State Land Commission. We sent out a letter last week asking for a meeting to talk about our new Water Treatment facility site and we have that meeting scheduled for next week.

Purcell said he would like to suggest to Council, as you know, money is short, to bring back next time another committee made up of himself and two Council Members. He is looking for two volunteers to meet with the County Commissioners to talk about the consolidation of E911. We need to consolidate. It saves us money and saves the citizens money and before long, we are only going to have a few regional 911s in the state and we need to make sure we are one of them because money will flow in from the federal government to help on these 911s. He asked if anyone strongly objected to this. No objections were voiced at this time.

MOTION by Warren, SECOND by Patton, to take a ten minute break and convene into executive session. AYE: Givens, Devine, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at approximately 8:40 p.m. and reconvened in regular, open session at approximately 10:08 p.m. with roll call reflecting all members present except Amy Ewing-Holmstrom.

EXECUTIVE SESSION ITEMS:

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation case of Dale C. Eberhart, Case No. 2001-19129-A, and if necessary, take appropriate action in open session.

Vincent read the title of Item 31 as shown above. He said Council convened in executive session and after discussion staff recommends ratifying the actions the City Attorney and settle as per the Worker's Compensation Court in the pending Workers Compensation case of Dale C. Eberhart, Case No. 2001-19129-A.

MOTION by Bass, SECOND by Warren, to ratify the actions the City Attorney and settle as per the Worker's Compensation Court in the pending Workers Compensation case of Dale C. Eberhart, Case No. 2001-19129-A. AYE: Shanklin, Patton,

Haywood, Warren, Bass, Givens, Devine. NAY: None. MOTION CARRIED.

32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending investigation and action concerning the old SE Wastewater Treatment Plant, and take appropriate action in open session.

Vincent read the title of Item 32 as shown above. He said Council convened in executive session and after discussion staff recommends entering into negotiations with ODEQ concerning the old SE Wastewater Treatment Plant.

MOTION by Givens, SECOND by Patton, to approve entering into negotiations with ODEQ concerning the old SE Wastewater Treatment Plant. AYE: Shanklin, Patton, Haywood, Warren, Bass, Givens, Devine. NAY: None. MOTION CARRIED.

33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the grievance of the IUPA, Local 24 and Robert Edmonson, and take appropriate action in open session.

Vincent read the title of Item 33 as shown above. He said Council convened in executive session and after discussion no action is required at this time.

34. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2004-2005 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session.

Vincent read the title of Item 34 as shown above. He said Council convened in executive session and after discussion no action is required at this time.

35. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2004-2005 between the Fire Union, IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session.

Vincent read the title of Item 35 as shown above. He said Council convened in executive session and after discussion no action is required at this time.

There being no further business to consider, the meeting adjourned at 10:13 p.m. upon motion, second and roll call vote.